

IAP7 Rec'd PCT/PTO 26 JUL 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>05-1003-A5</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US2005/003560</b>	INTERNATIONAL FILING DATE <b>27 January 2005</b>	U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>104587683 To Be Assigned</b>
		PRIORITY DATE CLAIMED <b>28 January 2004</b>
TITLE OF INVENTION <b>ITPKS AS MODIFIERS OF THE IGFR PATHWAY AND METHODS OF USE</b>		
APPLICANT(S) FOR DO/EO/US <b>Lori FRIEDMAN, Helen FRANCIS-LANG, Annette L. PARKS, Kenneth James SHAW, Lynn Margaret BJERKE and Timothy S. HEUER</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 3).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau),</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau,</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4))</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11 to 20 below concern documents or information included:</b></p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCT, www.USCourtForms.com

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) To Be Assigned <b>1587683</b>		INTERNATIONAL APPLICATION NO. PCT/US2005/003560		ATTORNEY'S DOCKET NUMBER 05-1003-A5																																																																																																																									
<p>20. Other items or information:</p> <p><b>Copy of forms PCT/IB/311 (January 2004), PCT/ISA/220 (January 2004), PCT/ISA/210 (April 2005), and PCT/ISA/237 (April 2005) and a Statement Under 37 C.F.R. § 1.821(f).</b></p> <table border="1"> <tr> <td colspan="2">The following fees have been submitted</td> <td>CALCULATIONS</td> <td>PTO USE ONLY</td> </tr> <tr> <td colspan="2">21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... \$300</td> <td>\$ 300.00</td> <td></td> </tr> <tr> <td colspan="2">22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/Us or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 All other situations ..... \$200</td> <td>\$ 200.00</td> <td></td> </tr> <tr> <td colspan="2">23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))  If the written opinion prepared by ISA/Us or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the USA by the IB ..... \$400 All other situations ..... \$500</td> <td>\$ 400.00</td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF 21, 22 and 23 =</b></td> <td>\$ 900.00</td> <td></td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) 37 CFR 1.492(j)) The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> <td></td> <td></td> </tr> <tr> <td>87 -100 =</td> <td>/50 =</td> <td>0</td> <td>x \$250</td> <td>\$ 0</td> <td></td> </tr> <tr> <td colspan="2">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> <td>\$</td> <td></td> <td></td> <td></td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> <td>\$</td> <td></td> </tr> <tr> <td>Total claims</td> <td>25 -20 =</td> <td>5</td> <td>x \$50</td> <td>\$ 250.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>4 -3 =</td> <td>1</td> <td>X \$200</td> <td>\$ 200.00</td> <td></td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td>+ \$360</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 1350.00</td> <td></td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.</td> <td colspan="2"></td> <td>0</td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="2"><b>SUBTOTAL =</b></td> <td>\$ 1350.00</td> <td></td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td colspan="2">+</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="2"><b>TOTAL NATIONAL FEE =</b></td> <td>\$ 1,350.00</td> <td></td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td colspan="2">+</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="2"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$ 1,350.00</td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="2">Amount to be refunded:</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td colspan="2">Amount to be charged:</td> <td>\$</td> <td></td> </tr> </table>						The following fees have been submitted		CALCULATIONS	PTO USE ONLY	21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... \$300		\$ 300.00		22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/Us or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 All other situations ..... \$200		\$ 200.00		23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))  If the written opinion prepared by ISA/Us or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the USA by the IB ..... \$400 All other situations ..... \$500		\$ 400.00		<b>TOTAL OF 21, 22 and 23 =</b>		\$ 900.00		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) 37 CFR 1.492(j)) The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				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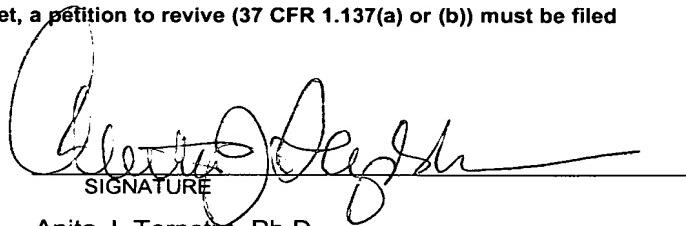
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- a.  A check in the amount of \$ 1,350.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:  
 Anita J. Terpstra, Ph.D.  
 McDonnell Boehnen Hulbert & Berghoff LLP  
 300 South Wacker Drive  
 Suite 3100  
 Chicago, Illinois 60606



SIGNATURE

Anita J. Terpstra, Ph.D.

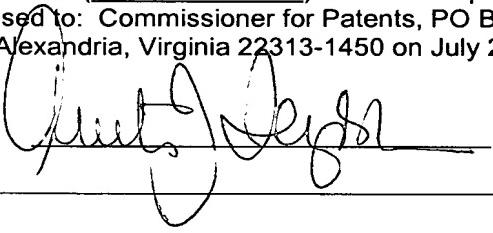
NAME

47,132

REGISTRATION NUMBER

CERTIFICATE OF MAILING UNDER 37 CFR §

1.8: The undersigned hereby certifies that this Transmittal Letter and the papers as described hereinabove, are being deposited with the United States Postal Service with sufficient postage as Express Mail (EV839382506US) in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on July 26, 2006.



The PTO did not receive the following listed item(s). X/0 check

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 05-1003-A5)**

In the Application of: )  
                             )  
                     FRIEDMAN et al.     )  
                             )  
             International App. No.: PCT/US2005/003560     )  
                             )  
             U.S. Serial No.: To Be Assigned     )  
                             )  
             Filing Date: Herewith     )  
                             )  
             For: ITPKS as Modifiers of the IGFR Pathway     )  
                     And Methods of Use     )

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

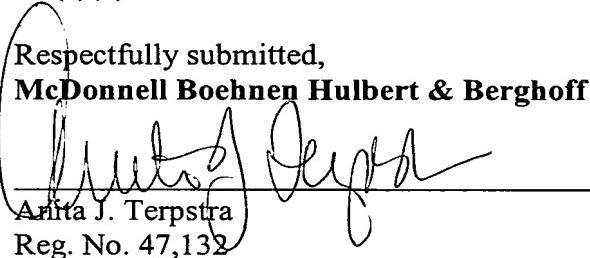
1. The Compact Disc contained herein ("060725\_1040") submitted under 37 C.F.R. § 1.52(e):

- Is formatted for IBM-PC Machines
- Is compatible with MS-Windows Operating System
- Contains the file "05-1003-A EX05-004 SeqList.txt" which is 88,294 bytes in size and created on 07/25/2006.

2. Statement under 37 C.F.R. § 1.52(e)(4): The undersigned certifies that the CD-R submitted herein, titled "060725\_1042" (COPY 1) and the CD-R entitled "060725\_1044 (COPY 2) are identical in content as required by C.F.R. § 1.52(e)(4).

Dated: July 26, 2006

By:

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**  
  
 Anita J. Terpstra  
 Reg. No. 47,132

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10/587683  
IAP12 Rec'd PCT/PTO 26 JUL 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 05-1003-A5)

In the Application of: )  
FRIEDMAN et al. )  
International App. No.: PCT/US2005/0035 ) Examiner: To Be Assigned  
Serial No.: To Be Assigned )  
Filing Date: Herewith ) Group Art Unit: To Be Assigned  
For: ITPKS as Modifiers of the IGFR Pathway And Methods of Use )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein ("060725\_1040") submitted under 37 C.F.R. § 1.52(e):

- Is formatted for IBM-PC Machines
- Is compatible with MS-Windows Operating System
- Contains the file "05-1003-A EX05-004 SeqList.txt" which is 88,294 bytes in size and created on 07/25/2006.

2. Statement under 37 C.F.R. § 1.52(e)(4): The undersigned certifies that the CD-R submitted herein, titled "060725\_1044" (COPY 2) and the original CD-R entitled "060725\_1042" (COPY 1) are identical in content as required by C.F.R. § 1.52(e)(4).

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

By:

Anita J. Terpstra  
Reg. No. 47,132

Dated: July 26, 2006

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